

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 17, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.
Absent and excused – Thompson. Total – 1.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Danielle Schmidt, Page.

Approval of Journal

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 16, 2009

Mr. Speaker:

I transmit herewith enrolled [SCR 102](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [SCR 102](#) and, when so signed, ordered it returned to the Senate.

February 16, 2009

Mr. Speaker:

I return herewith enrolled [H 3](#), [H 4](#), [H 11](#), [H 12](#), [H 13](#), and [H 15](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 3](#), [H 4](#), [H 11](#), [H 12](#), [H 13](#), and [H 15](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 16, 2009

Mr. Speaker:

I transmit herewith [S 1066](#) which has passed the Senate.
WOOD, Secretary

[S 1066](#) was filed for first reading.

February 16, 2009

Mr. Speaker:

I return herewith [H 20](#) which has passed the Senate.
WOOD, Secretary

[H 20](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 137](#), [H 138](#), [H 139](#), [H 140](#), [H 141](#), and [H 142](#).

CLARK, Chairman

[H 137](#), [H 138](#), and [H 139](#) were referred to the Resources and Conservation Committee.

[H 140](#), [H 141](#), and [H 142](#) were referred to the Revenue and Taxation Committee.

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 51](#) and [H 83](#) and recommend that they do pass.

LAKE, Chairman

[H 51](#) and [H 83](#) were filed for second reading.

February 17, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1043](#) and recommend that it do pass.

LOERTSCHER, Chairman

[S 1043](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [HJM 2](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [HJM 2](#) be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Durst. Total – 1.

Absent and excused – Bayer, Kren, Labrador, Smith(24), Thompson. Total – 5.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [HJM 2](#) was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Simpson to open debate.

The question being, "Shall [HJM 2](#) be adopted?"

Whereupon the Speaker declared [HJM 2](#) adopted by voice vote and ordered the memorial transmitted to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 19 BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE BOARD OF PHARMACY RELATING TO RULES OF THE IDAHO BOARD OF PHARMACY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Board of Pharmacy relating to Rules of the Idaho Board of Pharmacy is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 27.01.01, rules governing Rules of the Idaho Board of Pharmacy, rules of the Board of Pharmacy, adopted as a pending rule under Docket Number 27-0101-0801, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

HOUSE CONCURRENT RESOLUTION NO. 20 BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE DEPARTMENT OF HEALTH AND WELFARE RELATING TO MEDICAID ENHANCED PLAN BENEFITS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Department of Health and Welfare relating to Medicaid Enhanced Plan Benefits is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 16.03.10, rules governing Medicaid Enhanced Plan Benefits, Rules of the Department of Health and Welfare, adopted as a pending rule under Docket Number 16-0310-0801, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

HOUSE CONCURRENT RESOLUTION NO. 21 BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND SUPPORTING THE PLANNING AND CONSTRUCTION OF NEW FIBER COMMUNICATIONS FACILITIES BETWEEN THE CITIES OF RIGGINS AND GRANGEVILLE, IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature recognizes that modern advanced broadband telecommunications services are critical to the needs of the citizens of Idaho; and

WHEREAS, advanced fiber transport facilities are necessary for the provision of such services; and

WHEREAS, the communications facilities currently in place between the cities of Riggins and Grangeville are vital to the connectivity and communications of citizens in rural, North Central Idaho with the outside world; and

WHEREAS, public safety in Idaho County is hampered because of a lack of fiber connectivity; and

WHEREAS, the current communications facilities are inadequate or nonexistent; and

WHEREAS, the expedited construction of new modern fiber communications facilities is in the best interests of the citizens of Idaho; and

WHEREAS, the representatives of numerous affected local communities, as well as the Governor of the state of Idaho, strongly support such an effort; and

WHEREAS, the Legislature finds that it is in the public interest to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we strongly support the planning and construction of new fiber communications facilities between the cities of Riggins and Grangeville, Idaho.

BE IT FURTHER RESOLVED that state and other government agencies provide such support as is available to this endeavor including, expedited review and processing of any needed permits and licenses.

HOUSE CONCURRENT RESOLUTION NO. 22 BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND URGING THE DIRECTORS OF ALL STATE AGENCIES TO USE ALL CARE AND VIGILANCE TO PROTECT THE

PERSONAL DATA AND PRIVATE INFORMATION OF THEIR EMPLOYEES, AND ALL CITIZENS OF THE STATE OF IDAHO THAT THEY SERVE, FOR THE PURPOSE OF PROTECTING AGAINST IDENTITY THEFT, WHICH SHOULD INCLUDE BUT NOT BE LIMITED TO THE PROTECTION OF SOCIAL SECURITY INFORMATION, BANK ACCOUNT INFORMATION, AND INFORMATION RELATING TO STATE AND FEDERAL INCOME TAXES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, in September of 2008, the publication "Consumer Reports" published results of an investigation revealing that government is among the biggest sources of identity leaks; and

WHEREAS, the report was based on an analysis by the publication of publicly reported data breaches compiled by the nonprofit Privacy Rights Clearinghouse and found that more than 230 security lapses by federal, state and local government from 2005 through June, 2008 resulted in the loss or exposure of at least 44 million consumer records containing social security or driver's license numbers and other personal data; and

WHEREAS, the report also noted that a 2006 investigation by the House Committee on Oversight and Government Reform found that 788 breaches had occurred between January, 2003 and July, 2006 at 17 federal departments and agencies and that few of the incidents were publicly disclosed; and

WHEREAS, recently, it was discovered that the Idaho Soil Conservation Commission, which administers, among other things, Resource Conservation and Rangeland Development Program loans, included in meeting minutes that were published on the internet, credit scores, bank information, bank balances, income levels, and debt-to-income ratios of certain applicants while considering applications for loans from the program; and

WHEREAS, the Idaho Attorney General's Office determined in an October 2, 2008, opinion, that this disclosure did not violate the Idaho Public Records Act, or the federal Fair Credit Reporting Act, but opined that the better practice would be to refrain from including credit scores, bank information, bank balances, and debt-to-income ratio information in the official minutes of the Commission.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the directors of all state agencies are urged and encouraged to use all care and vigilance to protect the personal data and private information of their employees, and all citizens of the state of Idaho that they serve, for the purpose of protecting against identity theft, which should include but not be limited to the protection of social security information, bank account information, and information relating to state and federal income taxes.

[HCR 19](#), [HCR 20](#), [HCR 21](#), and [HCR 22](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 143 BY LOCAL GOVERNMENT COMMITTEE AN ACT

RELATING TO MUNICIPAL CORPORATIONS AND ANNEXATION; AMENDING SECTION 50-222, IDAHO CODE, TO REVISE PROVISIONS RELATING TO EVIDENCE

OF CONSENT TO ANNEXATION AND TO PROVIDE FOR EXCEPTIONS.

HOUSE BILL NO. 144 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO HOSPITALIZATION OF MENTALLY ILL; AMENDING SECTION 66-327, IDAHO CODE, TO REMOVE CERTAIN RESPONSIBILITIES OF ADULT CHILDREN, TO REMOVE FACTORS TO BE CONSIDERED IN DETERMINING RESPONSIBILITY FOR CERTAIN COSTS, TO REMOVE A CODE REFERENCE RELATING TO THE FIXING OF RESPONSIBILITY FOR CERTAIN COSTS, TO REMOVE LIMITATIONS ON COUNTY RESPONSIBILITY TO PAY CERTAIN COSTS, TO PROVIDE FOR A LIMITATION ON RATE OF REIMBURSEMENT, TO DEFINE TERMS, TO ALPHABETIZE DEFINED TERMS AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 145 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO STERILIZATION; AMENDING SECTION 39-3902, IDAHO CODE, TO REVISE A DEFINITION.

HOUSE BILL NO. 146 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO THE IDAHO RESIDENTIAL CARE OR ASSISTED LIVING ACT; AMENDING SECTION 39-3303, IDAHO CODE, TO PROVIDE RESIDENTIAL CARE OR ASSISTED LIVING FACILITY REQUIREMENTS FOR RESIDENTS WHO ARE NOT CLIENTS OF THE DEPARTMENT OF HEALTH AND WELFARE; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 147 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-335, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DISQUALIFICATIONS AND CERTAIN PENALTIES; AND AMENDING SECTION 49-337, IDAHO CODE, TO REVISE LANGUAGE AND TO REVISE PROVISIONS RELATING TO FINES FOR CERTAIN EMPLOYERS.

HOUSE BILL NO. 148 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES, TO PROVIDE FOR DISTRIBUTION OF CERTAIN FEES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 149 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES, TO PROVIDE FOR DISTRIBUTION OF CERTAIN FEES AND

TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 150

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO SPECIAL LICENSE PLATES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-402D, IDAHO CODE, TO PROVIDE A FEE; AND PROVIDING AN EFFECTIVE DATE.

HOUSE BILL NO. 151

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO FUELS TAX; AMENDING SECTION 63-2425, IDAHO CODE, TO PROVIDE FOR PENALTIES.

HOUSE BILL NO. 152

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO RURAL ECONOMIC DEVELOPMENT; AMENDING SECTION 49-2904, IDAHO CODE, TO REVISE MATCHING GRANT PROVISIONS RELATING TO PLANNING AND DEVELOPMENT OF INTERMODAL COMMERCE AUTHORITIES.

HOUSE BILL NO. 153

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES AND WEIGHT REGULATIONS; AMENDING SECTION 49-1001, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ALLOWABLE WEIGHTS FOR REFUSE/SANITATION TRUCKS AND TO REVISE PROVISIONS RELATING TO AN ANNUAL OPERATING PERMIT.

HOUSE BILL NO. 154

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO IDAHO STATE POLICE; AMENDING SECTION 49-2427, IDAHO CODE, TO REVISE PROVISIONS RELATING TO IDENTIFICATION OF CERTAIN STATE POLICE VEHICLES.

HOUSE BILL NO. 155

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO HIGHWAYS AND BRIDGES; TO PROVIDE LEGISLATIVE INTENT; AND AMENDING CHAPTER 8, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-827A, IDAHO CODE, TO AUTHORIZE VOTERS IN A COUNTY TO AUTHORIZE THE COUNTY TO IMPOSE AND COLLECT CERTAIN MOTOR VEHICLE REGISTRATION FEES FOR A SPECIFIC PURPOSE, TO PROVIDE FOR SUBMITTING THE QUESTION TO THE VOTERS, TO PROVIDE FOR CONDITIONS, TO PROVIDE FOR COLLECTION AND ADMINISTRATION OF FEES, TO PROVIDE FOR USE OF MONEYS RECEIVED AND TO PROVIDE FOR CERTAIN AGREEMENTS.

HOUSE BILL NO. 156

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE DISTRIBUTIONS FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 40-701, IDAHO CODE, RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY DISTRIBUTION ACCOUNT; TO PROVIDE A CERTAIN APPORTIONMENT TO THE LAW ENFORCEMENT FUND; AND PROVIDING EFFECTIVE DATES.

HOUSE BILL NO. 157

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE IDAHO EDUCATION NETWORK; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-125A, IDAHO CODE, TO PROVIDE DUTIES OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE DEPARTMENT OF EDUCATION REGARDING THE IDAHO EDUCATION NETWORK; AND AMENDING SECTION 67-5745D, IDAHO CODE, TO REMOVE CERTAIN DUTIES OF THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE CERTAIN DEPARTMENT OF ADMINISTRATION DUTIES AND TO PROVIDE FOR STATE DEPARTMENT OF EDUCATION POLICIES.

HOUSE BILL NO. 158

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 41, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4107, IDAHO CODE, TO PROVIDE FOR AN INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, TO PROVIDE A PURPOSE, TO DEFINE TERMS, TO PROVIDE FOR APPLICABILITY, TO PROVIDE FOR EDUCATIONAL RECORDS AND ENROLLMENT, TO PROVIDE FOR PLACEMENT AND ATTENDANCE, TO PROVIDE FOR ELIGIBILITY, TO PROVIDE FOR GRADUATION, TO PROVIDE FOR STATE COORDINATION, TO PROVIDE FOR AN INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, TO PROVIDE FOR POWERS AND DUTIES OF THE INTERSTATE COMMISSION, TO PROVIDE FOR THE ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION, TO PROVIDE FOR RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION, TO PROVIDE FOR OVERSIGHT, ENFORCEMENT AND DISPUTE RESOLUTION, TO PROVIDE FOR FINANCING OF THE INTERSTATE COMMISSION, TO PROVIDE FOR AN EFFECTIVE DATE AND TO PROVIDE FOR AMENDMENT, TO PROVIDE FOR WITHDRAWAL AND DISSOLUTION, TO PROVIDE FOR SEVERABILITY AND CONSTRUCTION AND TO PROVIDE FOR THE BINDING EFFECT OF THE COMPACT AND OTHER LAWS.

HOUSE BILL NO. 159

BY EDUCATION COMMITTEE

AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-2002, IDAHO CODE, TO REVISE PROVISIONS

RELATING TO GROUP LIFE INSURANCE CONTRACT REQUIREMENTS AND TO PROVIDE REQUIREMENTS RELATING TO GROUP LIFE INSURANCE POLICIES ISSUED TO CERTAIN PERSONS.

HOUSE BILL NO. 160
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO BONDS OF LIBRARY DISTRICTS; AMENDING SECTION 33-2728, IDAHO CODE, TO PROVIDE THAT A LIBRARY DISTRICT MAY ISSUE BONDS IN AN AMOUNT NOT TO EXCEED ONE PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF PROPERTY WITHIN THE DISTRICT, LESS ANY AGGREGATE OUTSTANDING INDEBTEDNESS.

HOUSE BILL NO. 161
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO DISCLOSURE OF PERSONAL INFORMATION; AMENDING SECTION 28-51-105, IDAHO CODE, TO PROVIDE THAT AGENCIES, INDIVIDUALS AND COMMERCIAL ENTITIES SHALL NOTIFY THE CENTRAL OFFICE OF THE IDAHO ATTORNEY GENERAL IN THE EVENT OF CERTAIN BREACHES OF SECURITY.

HOUSE BILL NO. 162
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-319, IDAHO CODE, TO PROVIDE PENALTIES FOR EMPLOYERS WHO INTENTIONALLY AND WILLFULLY FAIL TO SECURE THE PAYMENT OF COMPENSATION AND TO PROVIDE AN ADDITIONAL FACTOR THE COMMISSION MAY CONSIDER IN DETERMINING WHETHER PENALTIES SHOULD BE ASSESSED AND COLLECTED; AMENDING SECTION 72-506, IDAHO CODE, TO PROVIDE FOR AN APPEAL TO THE FULL INDUSTRIAL COMMISSION ON CERTAIN MATTERS; AMENDING SECTION 72-508, IDAHO CODE, TO PROVIDE FOR RULES OF PRACTICE AND PROCEDURE FOR MATTERS OF THE INDUSTRIAL COMMISSION AND TO MAKE TECHNICAL CORRECTIONS.

[H 143](#), [H 144](#), [H 145](#), [H 146](#), [H 147](#), [H 148](#), [H 149](#), [H 150](#), [H 151](#), [H 152](#), [H 153](#), [H 154](#), [H 155](#), [H 156](#), [H 157](#), [H 158](#), [H 159](#), [H 160](#), [H 161](#), and [H 162](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1066](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

[H 45](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

[H 76](#), by Business Committee, was read the second time by title and filed for third reading.

[S 1067](#), [S 1068](#), and [S 1069](#), by Finance Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

[H 85](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall [H 85](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – None.

Absent and excused – Black, Henderson, Labrador, Thompson. Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 85](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 86](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [H 86](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Lake, Labrador, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thompson. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 86](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[S 1009](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hart to open debate.

The question being, "Shall [S 1009](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thompson. Total – 1.

Total – 70.

Whereupon the Speaker declared that [S 1009](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[HCR 17](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall [HCR 17](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Thompson. Total – 1.

Total – 70.

Whereupon the Speaker declared [HCR 17](#) adopted and ordered the resolution transmitted to the Senate.

[HCR 13](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall [HCR 13](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Moyle, Nielsen, Nonini, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley,

Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – McGeachin, Thompson. Total – 2.

Total – 70.

Whereupon the Speaker declared [HCR 13](#) adopted and ordered the resolution transmitted to the Senate.

At this time, Mrs. McGeachin introduced Senator Mike Crapo, who spoke briefly to the Members of the House.

Mr. Loertscher asked unanimous consent that [H 65](#) be placed on General Orders for consideration. There being no objection it was so ordered.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, February 18, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:57 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk